

223—35.2(303) Definitions. The definitions listed in Iowa Code section 17A.2 and rule 223—1.2(303), Iowa Administrative Code, shall apply for terms as they are used throughout Title V of these rules. In addition, the following definitions apply:

“Act” means the National Historic Preservation Act of 1966, Public Law 89-665.

“Advisory council” means the Advisory Council on Historic Preservation established under Section 201 of the National Historic Preservation Act of 1966, Public Law 89-665.

“Applicant” means any individual or entity seeking funding or service for a historic preservation activity from the society.

“Certified local government” means a unit of local government which is certified by the National Park Service to carry out the purposes of the National Historic Preservation Act in accordance with Section 101(c) of the Act and 36 CFR 61, April 13, 1984, and August 30, 1985.

“Comprehensive historic preservation planning” means the ongoing planning process by the division or a local community that is consistent with technical standards issued by the U.S. Department of the Interior and which produces reliable, understandable, and up-to-date information for decision making related to the identification, evaluation, and protection or treatment of historic resources.

“Considered eligible” means those properties that both the state historic preservation officer and a state or federal agency agree may be considered eligible for listing in the National Register of Historic Places, but have not been forwarded to the National Park Service for a formal determination of eligibility.

“Cultural resource” means man-made components of the physical environment which represent or reflect the history and prehistory of the state.

“Deputy state historic preservation officer” means the designee of the state historic preservation officer who is responsible for the daily administration of the historic preservation program in the state.

“Determination of eligibility” means the finding by the National Park Service that a district, site, building, structure, or object meets the National Register criteria, but a formal nomination has not been forwarded to the National Park Service. A determination of eligibility does not make the property eligible for such benefits as grants, loans, or tax incentives that have listing on the National Register as a prerequisite.

“Historical Preservation Fund” means the federal source from which moneys are appropriated to fund the program of matching grants-in-aid to the states and other authorized grant recipients for historic preservation programs, as authorized by Section 101(d)(1) of the National Historic Preservation Act of 1966.

“Historic context” means a historical theme summary created for planning purposes that links historical information with related historic properties based on the minimal components of a shared theme, specific time period, and geographical area.

“Historic preservation” means the protection, rehabilitation, restoration, and appropriate adaptive reuse of historic properties significant in American history, architecture, archaeology, engineering, or culture.

“Investment tax credit” means a federal income tax credit for the substantial rehabilitation of historic buildings for commercial, industrial, and rental residential and nonresidential purposes.

“National Register of Historic Places” means the national list of historic properties significant in American history, architecture, archaeology, engineering, or culture, maintained by the Secretary of the Interior.

“National Trust for Historic Preservation” means the private, nonprofit organization chartered by legislation approved by Congress on October 26, 1949, with the responsibility for encouraging public participation in the preservation of districts, structures, sites, buildings, and objects significant in American history and culture.

“Property owner” means that individual who pays local property tax for a historic property that they either own or are purchasing by contract.

“Review and compliance” means the review of federal, state and local undertakings according to 36 CFR Part 800: Protection of Historic Properties, September 21, 1986, and the regulations of the Advisory Council on Historic Preservation governing the Section 106 review process.

“Review committee” means the Iowa state national register nominations review committee, which is appointed by the state historic preservation officer.

“Secretary’s Standards and Guidelines” means the Secretary of the Interior’s Standards and Guidelines for Archaeology and Historic Preservation which provide technical information about archaeological and historic preservation activities and methods. The subjects covered include preservation planning; identification, evaluation, registration, historic research and documentation; architectural and engineering documentation; archaeological investigation; historic preservation projects; and preservation terminology.

“Section 106” means the section of the National Historic Preservation Act of 1966, Public Law 89-665, which requires the federal agency head with jurisdiction over a federal undertaking or federally licensed undertaking to take into account the effects of the agency’s undertakings on properties included in or eligible for the National Register of Historic Places and, prior to approval of an undertaking, to afford the Advisory Council for Historic Preservation a reasonable opportunity to comment on the undertaking. The regulations of 36 CFR Part 800, September 21, 1986, define the process used by an agency to meet these responsibilities and the role of the state historic preservation officer in review and comment on these undertakings.

“State historic preservation officer” means the governor’s appointee who is responsible for the management of the historic preservation program of the state and compliance of the state historic preservation program with federal statutes and regulations of the National Park Service.

“Survey and planning grants” means the grants which result in the survey, evaluation, and nomination to the National Register of Historic Places of historic properties as well as the planning for these activities.

“Technical assistance” means services provided to the public for the development of skills or the provision of knowledge relative to the background, significance, operation, or implications of some aspect of the historic preservation program.